

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE CAPITAL ONE TELEPHONE
CONSUMER LITIGATION ACT
LITIGATION

This document relates to: ALL CASES

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Master Docket No. 1:12-cv-10064
MDL No. 2416

**AGREED ORDER TO STAY PROCEEDINGS
PENDING CLASS MEDIATION**

This matter came before the Court on March 26, 2013, on the Parties' Joint Motion to Stay Proceedings Pending Class Mediation [28]. Based on the motion and arguments presented to the Court, IT IS ORDERED:

1. The Parties' motion to stay is GRANTED. Proceedings are stayed as described in this Order.
2. This Order applies to all cases currently pending in *In re Capital One Telephone Consumer Protection Act Litigation*, MDL No. 2416, and to all related actions that have been or will be originally filed in, transferred to, or removed to this Court.
3. This Court has discretion to stay proceedings "to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants," *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936). Given the substantial legal and factual issues present in these cases, it is appropriate to stay the litigation to allow the class-action parties to focus on mediation and possible resolution of the class claims. The stay will also promote judicial economy.
4. All answers to Plaintiffs' Consolidated Master Class Action Complaint [19] are

STAYED pending class mediation.

5. Answers and responsive pleadings in any individual action are STAYED pending class mediation.

6. The Court's requirements that the Parties file an amended Joint Rule 26(f) Report and a Joint E-Discovery Plan [7] are STAYED pending class mediation.

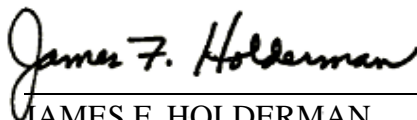
7. Formal discovery in all cases is STAYED pending class mediation. The Parties may exchange informal discovery to facilitate the mediation process.

8. Capital One, as agreed, must produce individual account records for all current individual plaintiffs on or before April 5, contingent upon entry of a confidentiality order.

9. In any individual action later filed in, transferred to, or removed to this Court, Capital One must produce individual account records for each individual plaintiff within 45 days of that filing, transfer, or removal to this Court.

10. The matter is set for a status hearing on July 9, 2013, at 10:00 a.m.

Dated: April 12, 2013

A handwritten signature in black ink, reading "James F. Holderman". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

JAMES F. HOLDERMAN
Chief Judge, United States District Court